

Notice of Allowability	Application No.	Applicant(s)	
	10/697,794	REYNOLDS, DOUGLAS F.	
	Examiner	Art Unit	
	Roland G. Foster	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the prelim. amend. filed on 10/29/03.
2. ☒ The allowed claim(s) is/are 1-3 (were 10-12).
3. ☒ The drawings filed on 29 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>01/29/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Roland G. Foster
Primary Examiner
Art Unit: 2645

DETAILED ACTION***Allowable Subject Matter***

Claims 10-12 are allowed.

Examiner's Reasons for Allowance

Claim 10 is directed to a detailed method of designing a personal IVR service node comprising steps (a) – (j). The steps include defining a plurality of logical symbols as prompts and at least one action and then mapping input signals into one of the logical symbols. A set of computer instructions is executed that is associated with a mapped logical symbol. Recent transaction information is packetized into a plurality of digital packets using at least one voice coder and dispatched to an Internet protocol address in a random order. Finally, an IVR server is updated to record the recent transaction.

The claims are recited in ordered steps (a) – (j), where certain steps depend upon the antecedent basis of earlier steps (e.g., step c depends on antecedent basis from step a). Therefore, the antecedent basis requirements indicate that certain steps were meant to be performed in a particular order. See, e.g., Mantech Environmental Corp. v. Hudson Environmental Services, Inc., 152 F.3d 1368, 1376, 47 USPQ2d 1732, 1739 (Fed. Cir. 1998).

Prior art systems for creating IVR services teach of using logical symbols, especially as it pertains to graphical user interface. For example, see Figs. 4 and 5 of U.S. Patent No. 6,647,111 B1 to Bjornberg et al. However, Bjornberg fails to teach that

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recent transaction information is packetized into a plurality of digital packets using at least one voice coder and dispatched to an Internet protocol address in a random order.

Prior art multiplexing systems such as U.S. Patent Application No. 2003/0043842 A1 to Tran teach of reading from a buffer in a random order (paragraph 0074) but fails to teach that the buffered data originated from a voice coder or that the data will be dispatched to an Internet protocol address in a random order, much less what application a random buffer read would have in the field of designing personal IVR service nodes.

The remaining prior art of record fails to teach or fairly suggest the obviousness of substantially modifying Bjornberg in order to arrive at the invention as claimed in detail by the applicant.

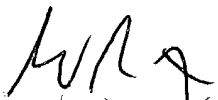
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.



Roland G. Foster
Primary Patent Examiner
July 26, 2004